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PTO/SB/64 (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
HO-P01525US0

First named inventor: Lars Abrahmsen

Application No: 08/765,695

Art Unit: 1644

Filed: July 11, 1994

Examiner: R. B. Schwadron

Title: 41986/2 A CONJUGATE BETWEEN A MODIFIED SUPERANTIGEN AND A TARGET-SEEKING COMPOUND AND THE USE OF THE CONJUGATE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity – fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

☐ Other than small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office Action in the form of An Amendment After Final Action (37 C.F.R. §1.116) (identify type of reply):

☐ has been filed previously on \_\_\_\_\_

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 700.00

☒ has been paid previously on July 29, 2005

☐ is enclosed herewith.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☐

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☒

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 65.00 for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].



Signature

April 7, 2006

Date

ALLEN E. WHITE

Typed or printed name

55,727

Registration Number, if applicable

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Enclosures:

☒

Fee Payment

☒

Reply

☒

Terminal Disclaimer Form

☒

Additional sheets containing statements establishing unintentional delay

☒

Other: Copy of USPTO Decision on Petition (Mailed March 21, 2006)



Docket No.: HO-P01525US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lars Abrahmsen

Application No.: 08/765,695

Confirmation No.: 6468

Filed: July 11, 1994

Art Unit: 1644

For: A CONJUGATE BETWEEN A MODIFIED  
SUPERANTIGEN AND A TARGET-SEEKING  
COMPOUND AND THE USE OF THE  
CONJUGATE

Examiner: R. B. Schwadron

**PETITION FOR REVIVAL OF APPLICATION ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Applicants petition for revival of the instant unintentionally-abandoned application under 37 C.F.R. § 1.137(b). Pursuant to 37 C.F.R. § 1.137(b)(1-4), Applicants file with this petition statement:

- (1) a check for \$815.00 including the petition fee of \$750.00 under 37 C.F.R. § 1.17(m),
- (2) an amendment after final rejection under 37 C.F.R. § 1.116,
- (3) a showing that the entire period of delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional,
- (4) a terminal disclaimer required under 37 C.F.R. § 1.137(d).

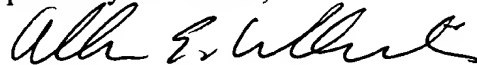
Pursuant to 37 C.F.R. § 1.137(b)(3), Applicant submits that the abandonment of the instant application was unintentional. Specifically, Applicant mistakenly filed an Request for Continued Examination, rather than a continuation application, in response to a Final Rejection dated September 8, 2003. The USPTO did not realize the error either and continued examination through to allowance. Applicant paid the issue fee July 29, 2005. Thus, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional. Applicant respectfully requests the USPTO revive the abandoned application and accept the co-submitted amendment after final rejection. The amendment should bring the specification and claims into the previously allowed form.

Pursuant to 37 C.F.R. § 1.17(m) the revival petition fee of \$750.00 has been included. Pursuant to 37 C.F.R. § 1.20(d) a terminal disclaimer filing fee of \$65.00 is enclosed. Should any other fees be due, or the attached fee be deficient or absent, the Commissioner is authorized to withdraw the appropriate fee from Fulbright & Jaworski Deposit Account No. 06-2375 (P01525US0), from which the undersigned is authorized to draw.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Date: April 7, 2006

Respectfully submitted,



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